

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

MICHAEL RODRIGUEZ,

Plaintiff,

v.

NAPHCARE, et al.,

Defendants.

Case No. 2:17-cv-02344-RFB-DJA

**ORDER**

Presently before the Court is pro se Plaintiff Michael Rodriguez's Motion for Sanctions (ECF No. 242), filed on September 2, 2020. Defendants filed a Response (ECF No. 250) on September 16, 2020. Plaintiff also filed a Motion to Extend Time to file his Reply (ECF No. 255) on October 2, 2020. Plaintiff is a pretrial detainee at the Clark County Detention Center. The Second Amended Complaint (ECF No. 84) is the operative complaint in this matter. Plaintiff requests that sanctions be imposed under Fed.R.Civ.P. 11 because he claims Defendants have deliberately deceived the Court regarding a dispute about Defendants' request for documents Plaintiff referred to in his Motion ECF No. 134. Defendants argue that this is yet another rogue filing by Plaintiff that results in an unnecessary expenditure of Court resources. They contend that they already explained to Plaintiff that the documents he references were filed under seal and they are simply seeking them through their written discovery as they do not already possess them.

The Court does not find that Defendants have made any deliberate misrepresentation to warrant sanctions; it understands the arguments of the parties and fully considered the dispute. The Court finds Defendants to be credible in explaining that they do not possess the documents requested in written discovery as they were filed under seal with the Court and Defendants do not have access to sealed filings. Further, it does not find that Plaintiff's request for additional time to reply is merited as there is no other argument necessary to decide the dispute. As a result, the Court will deny both of Plaintiff's requests.

This matter is also before the Court on Defendants' Motion to Extend Time re ECF No. 226 (ECF No. 251), filed on September 24, 2020, and Defendants' Joinder (ECF No. 252). Plaintiff filed a Non-Opposition (ECF No. 257) on October 2, 2020. Defendants request an extension of 60 days to the current discovery deadlines set out in ECF No. 226. They indicate that they need additional time to complete expert discovery, take Plaintiff's deposition, and disclose additional documents if needed. As COVID-19 restrictions are impacting discovery, they also request additional time to coordinate with CCDC to schedule Plaintiff's deposition. Plaintiff largely agrees with Defendants' request, but seeks a different date for the expert rebuttal and joint pretrial order deadlines. The Court does not agree with his date changes and will grant Defendants' proposed dates.

**IT IS HEREBY ORDERED** that Plaintiff Michael Rodriguez's Motion for Sanctions (ECF No. 242) is **denied**.


**IT IS FURTHER ORDERED** that Plaintiff's Motion to Extend Time to file his Reply (ECF No. 255) is **denied**.

**IT IS FURTHER ORDERED** that Defendants' Motion to Extend Time re ECF No. 226 (ECF No. 251) is **granted**.

**IT IS FURTHER ORDERED** that the following deadlines shall govern discovery:

- |                                  |                   |
|----------------------------------|-------------------|
| 1. Amend pleadings/add parties   | closed            |
| 2. Discovery cutoff              | February 12, 2021 |
| 3. Expert disclosures            | December 14, 2020 |
| 4. Rebuttal expert disclosures   | January 13, 2021  |
| 5. Dispositive motions           | March 15, 2021    |
| 6. Proposed joint pretrial order | April 14, 2021    |

DATED: October 7, 2020.

  
 DANIEL J. ALBRECHTS  
 UNITED STATES MAGISTRATE JUDGE